

**Virginia Scenic River Board
Thursday, October 17, 2007
Dominion
Richmond, Virginia**

Virginia Scenic River Board Members Present

Richard G. Gibbons, Chair
Edward Mullen
Christopher B. Rivers
K. Wayne Walton

Joseph H. Maroon, DCR Director
Cardell C. Patillo, Sr.
Porcher L. Taylor, Jr.
Christy Williams

Virginia Scenic River Advisory Board Members Not Present

Henry R. Broadus
Ralph Hambrick
Amanda Macaulay
Mary Lily Nuckols

Robert G. Harrison
Patricia A. Jackson, Vice Chair
Ralph Moore

DCR Staff Present

Russell W. Baxter, Deputy Director
John R. Davy, Director, Division of Planning and Recreation Resources
Lynn Crump, Environmental Program Planner
Michael R. Fletcher, Board and Constituent Services Liaison

Others Present

Sue Cecil, Falls of the James Scenic River Advisory Committee
Leighton Powell, Scenic Virginia
Greg Velzy, Falls of the James Scenic River Advisory Committee

Call to Order

Chairman Gibbons called the meeting to order and asked members to introduce themselves. He thanked Mr. Rivers for arranging the meeting location.

There was not yet a quorum present.

Approval of Minutes

Approval of the minutes was delayed until a quorum was attained.

Chairman's Report

Mr. Gibbons gave the Chairman's report.

Mr. Gibbons said that, on behalf of the Board, a letter of condolence was sent to the family and friends of Sylvia Brugh, the long time chair of the Upper James Scenic River Advisory Committee.

Mr. Gibbons said that regarding Goose Creek there were a couple of issues. One was a power line right of way in the Loudoun County area. DCR has provided comments as well as the Goose Creek Scenic River Advisory Board. The Board may wish to consider responding to this in times when there is no meeting scheduled.

He said that the Department usually has 30 days to respond.

Mr. Gibbons said that he and Mr. Baxter had traveled to Goose Creek on Sunday, October 12 for the celebration of the extension of the Scenic River designation and to present certificates of appreciation.

The James River Advisory Council newsletter is posted on their web page. The annual Parade of Lights will be on December 8, 2007.

Mr. Gibbons called on Mr. Walton for a presentation regarding a project in the City of Hopewell. The City is looking at how to make better utilization of the river.

Mr. Walton gave a presentation regarding the Friends of the Lower Appomattox River. A copy of this presentation is available from DCR. Key points made by Mr. Walton were:

Friends of the Lower Appomattox River

A Success Story Built Through Regional Cooperation and Teamwork

- Formed in 2001
- Counties of Prince George, Dinwiddie and Chesterfield
- Cities of Petersburg, Colonial Heights and Hopewell

Mission Statement: Communities working together in partnership to conserve and protect the Appomattox River.

The presentation included several photographs of projects along the lower Appomattox River.

Funding for the Prince George Appomattox River Park Observation Deck was provided by Waste Management, the John Randolph Foundation, NiSource, the Department of Conservation and Recreation and VULCAN Materials.

Mr. Gibbons asked if there would be a formal report and recommendations to the City Councils in Hopewell and Petersburg.

Mr. Walton said that the Marina was the key component of the project. This is a four million dollar investment. Proposals will be given to Congressman Randy Forbes for his possible assistance. The committee will be sure to get public input.

Director's Report

Mr. Maroon gave the Director's report. He welcomed John Tippet from the Friends of the Rappahannock.

Mr. Maroon distributed copies of the DCR Scenic River brochure and reviewed the program. He noted that there are over 505 miles of designated scenic rivers in Virginia. DCR is the administrating agency. Designation of a scenic river requires General Assembly action.

Mr. Maroon reviewed the following presentation originally prepared for the Board in 2003.

Virginia Scenic River Board

Board's Composition

- In 2002, HJR 159 Committee reviewed the status of boards and commissions including scenic river boards.
- 2003 Legislation created the statewide Virginia Scenic River Board consisting of 15 members appointed by the Governor plus the DCR Director.
- 18 local Scenic River Advisory Board were discontinued.
- The DCR Director may authorize and appoint local Scenic River Advisory Committees.

Officers and Meetings

- The Board shall elect a chairman and vice chairman.
- The DCR Director or his designee shall serve as a member of the Board.
- The Board shall meet at least two times a year on the call of the chairman or the Director. A majority of the members of the Board shall constitute a quorum of the Board.

Powers and Duties of the Board

The Board shall:

- Advise the Director on the appointment of Scenic River Advisory Committees.
- Formulate recommendations concerning designations for proposed scenic rivers or extensions of existing scenic rivers.
- Consider any federal, state or local plans to approve, fund or license facilities that would alter the assets of a scenic river.
- Assist the Director in reviewing and making recommendations regarding all planning for the use and development of water and related land resources.
- Assist the Director in preserving and protecting the natural beauty of scenic rivers.
- Advise the Director and the affected local jurisdiction on the impacts of proposed uses of each scenic river and its related land resources.
- Assist local governments in solving problems associated with the Virginia Scenic Rivers System.

Mr. Maroon noted that Scenic River Advisory Committees have been appointed for the Falls of the James and Goose Creek.

Mr. Maroon noted that election of officers should occur at the next meeting.

Mr. Mullen asked if the Scenic River designation had been effective.

Mr. Davy said that there have been many instances where the designation has come into play, most notable was the bridge designed to cross Goose Creek. He said that DCR deals with VDOT concerning river crossings as well as dealing with power line crossings.

Mr. Gibbons said that after the Moorman's River flooded the Scenic River designation was effective in addressing the upgrade of the road. Approximately 200 trees were saved.

Mr. Davy distributed copies of the map for the York River portion of the Captain James Smith Trail. He noted that there has been a Congressional designation of the National Captain John Smith Trail around the Chesapeake Bay and up into Delaware.

Mr. Maroon noted that a memo had been sent to Board members concerning budget cuts and reductions. He noted that the memo addressed a reduction in the personal mileage rate authorized for board and staff travel.

Mr. Maroon said that DCR would be losing over \$2.25 million in general support, however DCR was spared some of the deeper cuts that affected other agencies. He said that, while close to 20 positions in the agency have been frozen, at this point there has been no need to lay off staff.

Mr. Maroon said that several groups have come together to advance an initiative to devote \$100 million to conversation over the next 10 years. Groups involved include the

Chesapeake Bay Foundation, JRAC, Friends of the Rappahannock, The Potomac Conservancy, Farm Bureau, Agribusiness and others. These groups have asked the Governor and the General Assembly to address nonpoint source pollution through this initiative.

Minutes

As a quorum had been attained, Mr. Gibbons called for a motion concerning the minutes.

MOTION: Mr. Walton moved that the minutes of December 8, 2006 and April 19, 2007 be approved as submitted.

SECOND: Mr. Taylor

DISCUSSION: None

VOTE: Motion carried unanimously.

Update on River designations

Ms. Crump said there had been no additional action on the Appomattox River since the April meeting. She said that the surveys compiled by members at that meeting indicated that the river would not qualify for designation.

Ms. Crump said that the Goose Creek Scenic River Advisory Committee had been nominated for the second year in a row for a Scenic Award from Scenic Virginia. Goose Creek was recognized in 2006 and is a 2007 recipient of the Award.

Leighton Powell with Scenic Virginia invited members to the Award Ceremony on Friday, October 26, 2007.

Mr. Davy said that the study has been completed on the Blackwater River. There will be a meeting of the Planning District Commission and the Board of Supervisors in late November. Board members are welcome to attend.

Mr. Davy said that DCR hoped to begin a study this year on the Jordan River. This is an active study request from the locality.

Mr. Davy said that the General Assembly directed two studies in Henry County for the North and South Mayo Rivers. These studies were for potential state park and scenic river designation. He provided a draft copy of the report for member review.

Mr. Davy said the initial request from the legislator was for the state park study. DCR requested that the scenic river study be included. Mr. Davy reviewed a power point presentation of the area studied. A copy of this presentation is available from DCR.

Mr. Gibbons asked about the North Carolina study.

Mr. Maroon said that these studies were prompted by North Carolina's interest in developing a park along the state line.

MOTION: Mr. Taylor moved that the Virginia Scenic River Board endorse the study conducted by DCR which found that the North Mayo River in Henry County from the Route 695 crossing to the North Carolina-Virginia state line, a distance of approximately 7.1 miles, and the South May River in Henry County from the Patrick-Henry County line to the North Carolina-Virginia state line, a distance of approximately 6.9 miles, qualify for designation as state scenic rivers and supports such designation should it be introduced to the General Assembly.

SECOND: Mr. Mullen

DISCUSSION: None

VOTE: Motion carried unanimously

Scenic River Committee Reports

Falls of the James

Mr. Velzy gave the following report for the Falls of the James Scenic River Advisory Committee.

The Falls of the James Advisory Committee continues to meet on a regular, monthly basis. With the renewed interest in Richmond to focus on the riverfront as the centerpiece of downtown our committee is constantly engaged in monitoring the impacts of potential developments as they affect the scenic, historic and recreational aspects of our stretch of Scenic River. Two recent development proposals that we have studied are Echo Harbor and Mayo's Island.

Other items that the committee has been involved with are, the updating of the City of Richmond's Master Plan as it relates to the riverfront, the proposed Conservation Easement for the James River Park System, and meeting with local police officials to discuss safety and security issues within the urban river environs.

Members of the committee were also active in welcoming, and guiding through our stretch of the James, the participants of the James River Sojourn which was sponsored by the Alliance for the Chesapeake Bay.

Committee member Sue Cecil was awarded the prestigious “Spirit of the Sojourn” award for her lifelong work on behalf of river awareness and education.

The committee has also recently created a sub-committee to garner nominations for our group to be sure that we maintain a qualified, vibrant and diverse membership so that all interests that pertain to the river can be covered.

Goose Creek

Ms. Crump said that the Goose Creek Scenic River Advisory Committee has recently been working with LuckStone regarding a river crossing. Rather than adding another bridge, a tunnel will be dug to go under Goose Creek.

Goose Creek is also working on an easement relating to a camp owned by the Methodists and the Boy Scouts. At this point the committee has not obtained an easement on that property.

Ms. Crump noted that easements obtained by the Goose Creek Scenic River Advisory Committee are directed to the Loudoun County Parks and Recreation.

Scenic Rivers and Land Conservation

Mr. Baxter gave a report concerning Scenic Rivers and Land Conservation.

Governor Kaine’s Land Conservation Goal

- 400,000 acres by 2010
- As of August 30, 2007: 163,442 acres conserved
- Monthly reporting by DCR and cooperating agencies and organizations
- Includes easements, fee simple purchase, key is “permanently preserved”

Virginia Land Conservation Foundation

Applications for Virginia Land Conservation Foundation grants for open-space lands will receive additional points (higher scores) if the property is located on a designated scenic river.

“Supports the conservation and planning for any federally designated Wild and Scenic River or American Heritage River in or adjacent to Virginia, Virginia’s Scenic Rivers, Scenic Roads, and Virginia Byways by conserving land that is adjacent to, or in the viewshed of, those resources.”

Conservation Land Tax Credit

Applicants for land-preservation tax credits of \$1 million or more (for a donation of an easement worth \$2.5 million or more) are reviewed by DCR for their conservation value.

Easements on lands contiguous to scenic rivers can more easily pass the review, as they will be considered to have a qualified scenic conservation purpose

Virginia Outdoors Foundation

The Virginia Outdoors Foundation holds the vast majority of open-space easements in Virginia. Due to increased demand, VOF currently has a policy that it will not hold easements on properties that are less than 100 acres unless the property has special characteristics that make it worthy of protection.

Adjacency to scenic rivers is a factor that VOF would consider.

Mr. Gibbons asked if there was the possibility of a one-page document that would show an example of a property eligible for credits along a scenic river and list the hypothetical conservation value.

Mr. Baxter said the value is based upon the appraisal and the value of the land.

Mr. Walton gave an example of 45 acres under consideration in Hopewell and asked where the County could find assistance in arranging a land conservation easement.

Mr. Baxter said that Sarah Richardson at DCR was the appropriate contact.

Ms. Williams suggested that the Scenic River Brochure be updated to include the conservation easement information.

At this time the Board recessed for lunch.

Follow up discussion on how the Scenic River Board relates to other organizations

Mr. Gibbons said that a list had been prepared identifying organizations throughout the Commonwealth that deal with river issues. The intent was to facilitate Board members building relationships with these groups.

Ms. Crump said that in moving forward this idea, John Tippet of the Friends of the Rappahannock had been invited to attend this meeting. Ms. Crump said Mr. Tippet would share ideas of how a typical river organization could connect back to the Scenic River Board and how the Board may be of assistance on issues important to conservation.

Mr. Tippet said that one of the things to consider was what unique values Scenic River designation brings to conservation. He said that consideration should be given to what the Board can do and how this designation can be augmented.

He said it is important to remember that rivers are assets as scenic features, not just as water sources. It is helpful to have an entity other than a watershed group to advocate for rivers.

Mr. Tippet said the engagement of local governments can play a big role in river preservation. He said also that the Scenic River Board and Advisory Committees can advocate on behalf of river issues. He said it is important to be in regular connection with the issues.

Mr. Tippet said that the Scenic River Board could help local organizations attain a better understanding of the tools that are available. He said that he had not been aware that scenic river designation was a consideration in the awarding of land conservation grants from the Virginia Land Conservation Foundation.

Mr. Tippet said that better coordination could help avoid the duplication of effort.

Mr. Maroon said that some of this coordination is already occurring with Board members. He noted that two local groups to report to the Scenic River Board.

Mr. Gibbons noted that, as a member of JRAC, he keeps the Board informed.

Mr. Gibbons suggested that the Scenic River Board might consider convening a meeting of river groups. He said that perhaps this could be in conjunction with a regular Board meeting.

Mr. Maroon said that DCR brought a number of groups together for the development of the Captain John Smith Trail. He said that there was a meeting scheduled the following week to discuss the Natural Area Preserve System.

Mr. Maroon said that it might be possible to look at the list in terms of the 22 river segments and identify key groups in those areas.

Mr. Mullen said it might be helpful for Board members to have talking points for discussing the Scenic River system.

Mr. Gibbons said that talking points had been distributed when the Board was formed, but that they likely needed updating.

Mr. Maroon said that Mr. Baxter and Ms. Crump would update the talking points for distribution to Board members.

Mr. Davy said that perhaps a meeting could be organized as part of the Governor's Conference on Greenways, Trails and Blueways to be held in 2008.

New Business

There was no new business.

Public Comment

There was no additional public comment.

Next Meeting Date

The next meeting date was set for Thursday, April 17, 2008. The location will be determined at a later date.

Adjourn

Being no further business, the meeting was adjourned.

Respectfully submitted,

Richard G. Gibbons
Chairman

Joseph H. Maroon
Director